

A U.S. company and an Australian company have entered into a contract jointly to develop and evaluate the commercial potential of a particular uranium enrichment process (known as the "SILEX" process) invented by the Australian company. If the commercial viability of the process is demonstrated, the U.S. company may adopt it to enrich uranium for sale to U.S. and foreign utilities for use as reactor fuel.

Research on and development of the new enrichment process may require transfer from the United States to Australia of technology controlled by the United States as sensitive nuclear technology or Restricted Data. Australia exercises similar controls on the transfer of such technology outside Australia. There is currently in force an Agreement Between the United States of America and Australia Concerning Peaceful Uses of Nuclear Energy, signed at Canberra July 5, 1979 (the "1979 Agreement"). However, the 1979 Agreement does not permit transfers of sensitive nuclear technology and Restricted Data between the parties unless specifically provided for by an amendment or by a separate agreement.

Accordingly, the United States and Australia have negotiated, as a complement to the 1979 Agreement, a specialized agreement for peaceful nuclear cooperation to provide the necessary legal basis for transfer of the relevant technology between the two countries for peaceful purposes.

The proposed Agreement provides for cooperation between the parties and authorized persons within their respective jurisdictions in research on and development of the SILEX process (the particular process for the separation of isotopes of uranium by laser excitation). The Agreement permits the transfer for peaceful purposes from Australia to the United States and from the United States to Australia, subject to the nonproliferation conditions and controls set forth in the Agreement, of Restricted Data, sensitive nuclear technology, sensitive nuclear facilities, and major critical components of such facilities, to the extent that these relate to the SILEX technology.

The nonproliferation conditions and controls required by the Agreement are the standard conditions and controls required by section 123 of the Atomic Energy Act, as amended by the Nuclear Non-Proliferation Act of 1978 (NNPA), for all new U.S. agreements for peaceful nuclear cooperation. These include safeguards, a guarantee of no explosive or military use, a guarantee of adequate physical protection, and rights to approve re-transfers, enrichment, reprocessing, other alterations in form or content, and storage. The Agreement contains additional detailed provisions for the protection of sensitive nuclear

technology, Restricted Data, sensitive nuclear facilities, and major critical components of such facilities transferred pursuant to it.

Material, facilities, and technology subject to the Agreement may not be used to produce highly enriched uranium without further agreement of the parties.

The Agreement also provides that cooperation under it within the territory of Australia will be limited to research on and development of SILEX technology, and will not be for the purpose of constructing a uranium enrichment facility in Australia unless provided for by an amendment to the Agreement. The United States would treat any such amendment as a new agreement pursuant to section 123 of the Atomic Energy Act, including the requirement for congressional review.

Australia is in the forefront of nations supporting international efforts to prevent the spread of nuclear weapons to additional countries. It is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and has an agreement with the International Atomic Energy Agency (IAEA) for the application of full-scope safeguards to its nuclear program. It subscribes to the Nuclear Supplier Group (NSG) Guidelines, which set forth standards for the responsible export of nuclear commodities for peaceful use, and to the Zangger (NPT Exporters) Committee Guidelines, which oblige members to require the application of IAEA safeguards on nuclear exports to nonnuclear weapon states. In addition, Australia is a party to the Convention on the Physical Protection of Nuclear Material, whereby it has agreed to apply international standards of physical protection to the storage and transport of nuclear material under its jurisdiction or control.

The proposed Agreement with Australia has been negotiated in accordance with the Atomic Energy Act of 1954, as amended, and other applicable law. In my judgment, it meets all statutory requirements and will advance the nonproliferation, foreign policy, and commercial interests of the United States.

A consideration in interagency deliberations on the Agreement was the potential consequences of the Agreement for U.S. military needs. If SILEX technology is successfully developed and becomes operational, then all material produced by and through this technology would be precluded from use in the U.S. nuclear weapons and naval nuclear propulsion programs. Furthermore, all other military uses of this material, such as tritium production and material testing, would also not be possible because of the assurances given to the Government of Australia. Yet, to ensure the enduring ability of the United States to meet its common defense and security needs, the United

States must maintain its military nuclear capabilities. Recognizing this requirement and the restrictions being placed on the SILEX technology, the Department of Energy will monitor closely the development of SILEX but ensure that alternative uranium enrichment technologies are available to meet the requirements for national security.

I have considered the views and recommendations of the interested agencies in reviewing the proposed Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Agreement and authorized its execution and urge that the Congress give it favorable consideration.

Because this Agreement meets all applicable requirements of the Atomic Energy Act, as amended, for agreements for peaceful nuclear cooperation, I am transmitting it to the Congress without exempting it from any requirement contained in section 123 a. of that Act. This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. My Administration is prepared to begin immediately the consultations with the Senate Foreign Relations Committee and House International Relations Committee as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous session period provided for in section 123 d. shall commence.

WILLIAM J. CLINTON.

THE WHITE HOUSE, November 3, 1999.

#### MESSAGE FROM THE HOUSE

At 11:07 a.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 170. An act to require certain notices in any mailing using a game of chance for the promotion of a product or service, and for other purposes.

H.R. 1801. An act to make technical corrections to various antitrust laws and to references to such laws.

H.R. 2513. An act to direct the Administrator of General Services to acquire a building located in Terre Haute, Indiana, and for other purposes.

H.R. 3137. An act to amend the Presidential Transition Act of 1963 to provide for training of individuals a President-elect intends to nominate as department heads or appoint to key positions in the Executive Office of the President.

H.R. 3164. An act to provide for the imposition of economic sanctions on certain foreign persons engaging in, or otherwise involved in, international narcotics trafficking.

H.J. Res. 46. Joint resolution conferring status as a honorary veteran of the United States Armed Forces on Zachary Fisher.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 124. Concurrent resolution expressing the sense of the Congress relating to the recent allegations of espionage and illegal campaign financing that have brought into question the loyalty and probity of Americans of Asian ancestry.

H. Con. Res. 193. Concurrent resolution expressing the support of Congress for activities to increase public participation in the decennial census.

H. Con. Res. 199. Concurrent resolution expressing the sense of the Congress that prayers and invocations at public school sporting events contribute to the moral foundation of our Nation and urging the Supreme Court to uphold their constitutionality.

H. Con. Res. 213. Concurrent resolution encouraging the Secretary of Education to promote, and State and local educational agencies to incorporate in their educational programs, financial literacy training.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 468. An act to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirement, and improve the delivery of services to the public.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 441) to amend the Immigration and Nationality Act with respect to the requirement for the admission of nonimmigrant nurses who will practice in health professional shortage areas.

The message further announced that pursuant to section 491 of the Higher Education Act of 1965 (20 U.S.C. 1098(c)), and upon the recommendation of the Majority Leader, the Speaker appoints the following member on the part of the House to the advisory Committee on Student Financial Assistance for a 3 year term to fill the existing vacancy thereon: Ms. Judith Flink of Illinois

#### ENROLLED BILL SIGNED

At 11:50 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 974. An act to establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

#### ENROLLED BILL SIGNED

At 5:12 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 441. An act to amend the Immigration and Nationality Act with respect to the re-

quirements for the admission of non-immigrant nurses who will practice in health professional shortage areas.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

At 6:36 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3194. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2990) to amend the Internal Revenue Code of 1986 to allow individuals greater access to health insurance through a health care tax deduction, a long-term care deduction, and other health-related tax incentives, to amend the Employee Retirement Income Security Act of 1974 to provide access to and choice in health care through association health plans, to amend the Public Health Service Act to create new pooling opportunities for small employers to obtain greater access to health coverage through HealthMarts; to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; and for other purposes", and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints the following Members as the managers of the conference on the part of the House:

From the Committee on Commerce, for consideration of the House bill, and the Senate amendment, and modifications committed to conference: Mr. BLILEY, Mr. BILIRAKIS, Mr. SHADEGG, Mr. DINGELL, and Mr. PALLONE.

From the Committee on Ways and Means, for consideration of the House bill, and the Senate amendment, and modifications committed to conference: Mr. ARCHER, Mr. THOMAS, Mrs. JOHNSON of Connecticut, Mr. RANGEL, and Mr. STARK: *Provided*, That MCCRERY is appointed in lieu of Mrs. JOHNSON of Connecticut for consideration of title XIV of the House bill and sections 102, 111(b) and 304 and title II of the Senate amendment.

From the Committee on Education and the Workforce, for consideration of the House bill, and the Senate amendment, Mr. BOEHNER, Mr. TALENT, Mr. FLETCHER, Mr. CLAY, and Mr. ANDREWS.

As additional conferees from the Committee on Government Reform, for consideration of section 503 of the Senate amendment, and modifications committed to conference: Mr. BURTON

of Indiana, Mr. SCARBOROUGH, and Mr. WAXMAN.

As additional conferees for consideration of the House bill, and the Senate amendment, and modifications committed to conference: Mr. GOSS and Mr. BERRY.

#### MEASURE PLACED ON THE CALENDAR

The following bill was read the second time and placed on the calendar:

H.R. 1883. An act to provide the application of measures to foreign persons who transfer to Iran certain goods, services, or technology, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations, without amendment:

H.R. 1477. A bill to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes.

H.R. 1794. A bill concerning the participation of Taiwan in the World Health Organization (WHO).

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 208. A resolution expressing the sense of the Senate regarding United States policy toward the North Atlantic Treaty Organization and the European Union, in light of the Alliance's April 1999 Washington Summit and the European Union's June 1999 Cologne Summit.

S. Res. 209. A resolution expressing concern over interference with freedom of the press and the independence of judicial and electoral institutions in Peru.

By Mr. HELMS, from the Committee on Foreign Relations, without amendment:

S. 923. A bill to promote full equality at the United Nations for Israel.

S. Con. Res. 30. A concurrent resolution recognizing the sacrifice and dedication of members of America's non-governmental organizations and private volunteer organizations throughout their history and specifically in answer to their courageous response to recent disasters in Central America and Kosovo.

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Con. Res. 68. An original concurrent resolution expressing the sense of Congress on the occasion of the 10th anniversary of historic events in Central and Eastern Europe, particularly the Velvet Revolution in Czechoslovakia, and reaffirming trends of friendship and cooperation between the United States and the Czech and Slovak Republics.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. JEFFORDS for the Committee on Health, Education, Labor, and Pensions:

Stephen Hadley, of the District of Columbia, to be a Member of the Board of Directors